



IPW

**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Masahiro OSHIO

Group Art Unit: 2834

Application No.: 10/731,004

Examiner: Unknown

Filed: December 10, 2003

Docket No.: 117780

For: SURFACE ACOUSTIC WAVE DEVICE, METHOD OF MANUFACTURING THE  
SAME, AND ELECTRONIC APPARATUS

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

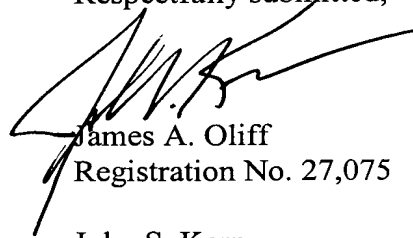
In reply to the September 1, 2005 Restriction Requirement, Applicant provisionally elects Group I, claims 1-4, drawn to a surface acoustic wave device, classified in class 310, subclass 313A with traverse.

It is also respectfully submitted that the subject matter of all claims 1-9 is sufficiently related that a thorough search for the subject matter of any one Group of claims would encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in

order to avoid unnecessary delay and expense to Applicant and duplicative examination by the Patent Office.

Thus, withdrawal of the Restriction Requirement is respectfully requested.

Respectfully submitted,



James A. Oliff

Registration No. 27,075

John S. Kern

Registration No. 42,719

JAO:JSK/kap

Date: September 28, 2005

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 19928**  
**Alexandria, Virginia 22320**  
**Telephone: (703) 836-6400**

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